

Notice of Allowability	Application No.	Applicant(s)	
	09/720,828	THEZE ET AL.	
	Examiner	Art Unit	
	Prema M Mertz	1646	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 8/14/2003.
2. ☒ The allowed claim(s) is/are 5, 10, 38-41, 54-57, renumbered, 1-2, 3-6, 7-10, respectively.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____. | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other _____. |


 Prema M Mertz
 Primary Examiner
 Art Unit: 1646

AMENDMENTS TO THE CLAIMS

Amend the claims as follows:

1. - 4. (Canceled)

¹
~~5.~~ (Currently Amended) ~~An isolated DNA molecule~~ A purified polynucleotide
encoding a ~~peptide~~ polypeptide consisting of the amino acid sequence of SEQ ID NO.: 2 or
SEQ ID NO.: 4.

6. - 9. (Canceled)

²
~~10.~~ (Currently Amended) A vector containing the ~~DNA sequence~~ polynucleotide of
Claim ~~5.~~¹.

11. - 37. (Canceled)

³
~~38.~~ (Currently Amended) ~~An isolated peptide which is a homologous peptide to SEQ~~
~~ID NO.: 2, wherein said homologous peptide is~~ A purified polypeptide encoded by a
polynucleotide having at least 75% homology to SEQ ID NO.: 1 and wherein said
~~homologous peptide~~ polypeptide induces SHC phosphorylation or induces the SHC/MAPK
pathway.

⁴
~~39.~~ (Currently Amended) The ~~peptide~~ purified polypeptide of Claim ~~38.~~³, wherein said
~~homologous peptide~~ polypeptide is encoded by a polynucleotide having at least 80%
~~homologous~~ homology to SEQ ID NO.: 1.

⁵
~~40.~~ (Currently Amended) The ~~peptide~~ purified polypeptide of Claim ~~38.~~³, wherein said
~~homologous peptide~~ polypeptide is encoded by a polynucleotide having at least 90%
~~homologous~~ homology to SEQ ID NO.: 1.

⁶
~~41.~~ (Currently Amended) The ~~peptide~~ purified polypeptide of Claim ~~38.~~³, wherein said
~~homologous peptide~~ polypeptide is encoded by a polynucleotide having at least 95%
~~homologous~~ homology to SEQ ID NO.: 1.

42. - 53 (Canceled)

⁷
54. (Currently Amended) ~~An isolated peptide which is a homologous peptide to SEQ ID NO.: 2, wherein said homologous peptide is~~ A purified polypeptide encoded by a polynucleotide having at least 75% homology to SEQ ID NO.: 3 and wherein said ~~homologous peptide~~ polypeptide induces SHC phosphorylation or induces the SHC/MAPK pathway.

⁸
55. (Currently Amended) The ~~peptide~~ purified polypeptide of Claim ⁷54, wherein said ~~homologous peptide~~ polypeptide is encoded by a polynucleotide having at least 80% ~~homologous~~ homology to SEQ ID NO.: 3.

⁹
56. (Currently Amended) The ~~peptide~~ purified polypeptide of Claim ⁷54, wherein said ~~homologous peptide~~ polypeptide is encoded by a polynucleotide having at least 90% ~~homologous~~ homology to SEQ ID NO.: 3.

¹⁰
57. (Currently Amended) The ~~peptide~~ purified polypeptide of Claim ⁷54, wherein said ~~homologous peptide~~ polypeptide is encoded by a polynucleotide having at least 95% ~~homologous~~ homology to SEQ ID NO.: 3.

SUPPORT FOR THE AMENDMENT

Claims 1-4, 6-9, 11-15, 26-37, and 42-53 have been canceled.

Claims 5, 10, 38-41, and 54-57 have been amended.

The amendment of Claims 5, 10, 38-41, and 54-57 is supported by the corresponding claims as originally presented and the specification as originally filed (see, for example, page 7, line 15 to page 32, line 7).

No new matter is believed to have been added by the present amendment.